

CERTIFIED TRUE COPY

FILED

PETER VERNIERO  
ATTORNEY GENERAL OF NEW JERSEY

OCT - 8 1993

By: Marianne W. Greenwald  
Deputy Attorney General  
Division of Law - 5th Floor  
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BOARD OF PHARMACY,

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
WILLIAM J. SCHADY	:	
TO PRACTICE PHARMACY IN THE STATE	:	AMENDED PROVISIONAL ORDER
OF NEW JERSEY	:	OF DISCIPLINE
<u>RI 24368</u>	:	

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On December 22, 1997 respondent was convicted of the crime of criminally negligent homicide in Supreme Court of New York, County of Orange. Specifically on or about and between the 22nd day of January 1995, and the 23rd day of January 1995, William Schady with criminal negligence caused the death of another.

(Indictment and Judgement of Conviction are annexed hereto and made a part hereof).

3. The following sentence was ordered: six (6) months incarceration, and a five (5) year term of probation.

4. On January 6, 1998 respondent made application to the New York Board of Regents to surrender his license to engage in the practice of pharmacy in the State of New York based upon respondent's admission to one specification of professional misconduct, to wit: entering a plea of guilty to the charge of criminally negligent homicide. On April 21, 1998 that application was voted upon and approved. (Application and Order attached hereto and made a part hereof).

#### CONCLUSIONS OF LAW

1. Both the above conviction and disciplinary action provide grounds for the suspension of respondent's license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f), in that the crime of which respondent was convicted is one of moral turpitude and/or relates adversely to the practice of pharmacy and the disciplinary action in New York is based on admissions that would give rise to discipline in this State.

ACCORDINGLY, IT IS ON THIS *8<sup>th</sup>* DAY OF *October*, 1998,  
ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey is hereby revoked.

2. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof

unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

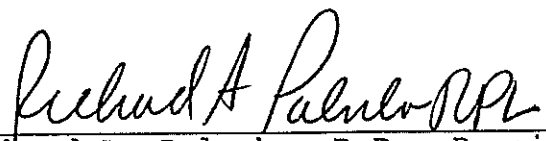
a) Submitting a written request for modification or dismissal to H. Lee Gladstein, Executive Director, State Board of Pharmacy, 124 Halsey Street, 6th Floor, Newark, New Jersey 07102.

b) Setting forth in writing any and all reasons why said findings and conclusions of should be modified or dismissed.

3. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period or if the Board is not persuaded that submitted materials merit further consideration, a Final Order of Discipline will be entered.

4. In the even that respondent's submissions establish a need for further proceedings including but not<sup>d</sup> limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein shall serve as notice of the factual and legal allegations in such proceeding.

STATE BOARD OF PHARMACY

By:   
Richard A. Palombo, R.P., President

SENTENCE AND COMMITMENT

154/97

STATE OF NEW YORK

(SUPREME) (COUNTY) COURT, COUNTY OF ORANGE

Hon. Thomas J. Byrne, County Judge.  
Presiding

Millie Precht  
Court Reporter

THE PEOPLE OF THE STATE OF NEW YORK  
VS

INDICTMENT # / SCI # 0142-97

INDICTED FOR: Criminally Negligent Homicide  
Forgery 2nd (9 Cts.)  
Crim. Poss. Forg. Instrument 2nd

SEX M DOB 05/15/56 NYSID # 6438568K DATE CRIME COMMITTED 01/22/95

THE ABOVE NAMED DEFENDANT HAVING BEEN CONVICTED OF A (FELONY) (MISD) BY (PLEA) (VERDICT) FOR:	LAW	SECTION	MIN. TERM(YRS)	MAX. TERM(YRS)	DEF. TERM
1. <u>Criminally Negligent Homicide</u>	<u>P.L.</u>	<u>125.10</u>			<u>6 Mos.</u>
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____	_____

\_\_\_\_ Convicted as an Armed Felon \_\_\_\_ Convicted as a Juvenile Offender \_\_\_\_ Age at time crime committed  
☒ Probation 5 Years \_\_\_\_ License revoked \_\_\_\_ A Fine of \$ \_\_\_\_ Other (see remarks)  
☒ Mandatory Surcharge \$ 150.00 ☒ Victim's Assistance Fee \$ 5.00

\_\_\_\_ THE SENTENCE(S) IMPOSED HEREIN ON \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SHALL RUN:  
DATE

CONCURRENTLY with \_\_\_\_\_

CONSECUTIVELY with \_\_\_\_\_

\_\_\_\_ Found to be a YOUTHFUL OFFENDER \_\_\_\_ Found to be a (SECOND) (PERSISTENT) (VIOLENT) Felony Offender

AND THAT SAID DEFENDANT BE AND HEREBY IS COMMITTED TO THE CUSTODY OF THE

☒ Department of Correctional Services of the State of New York until released in accordance with the law, and being a (male) (female) person sixteen or older the (COUNTY SHERIFF) (COUNTY DEPT. OF PUBLIC SAFETY) (NYS DEPT. OF CORRECTIONAL SERVICES) is directed to deliver (HIM) (HER) to the custody of the NYS Department of Correctional Services as provided in 7 NYCRR Part 103.

\_\_\_\_ Division for Youth of the State of New York in accordance with the law being a (MALE) (FEMALE) person LESS than sixteen (16) years of age at the time the crime was committed.

Orange County Jail (correctional facility).

☒ TO BE HELD UNTIL THE JUDGMENT OF THE COURT IS SATISFIED

☒ TO THE NEW YORK STATE DEPT. OF CORRECTIONAL SERVICES PURSUANT TO SECTION 60.35 OF THE PENAL LAW OF THE STATE OF NEW YORK, A MANDATORY SURCHARGE AND VICTIM'S ASSISTANCE FEE IN THE AMOUNT OF \$ 155.00 HAS BEEN IMPOSED AND, TO DATE, THE DEFENDANT HAS FAILED TO PAY SAID AMOUNT.

REMARKS: Defendant advised of his right to appeal. Bail exonerated.

DEFENDANT'S ADDRESS: 2400 President Avenue, Torr River, N.J. 08755

A TRUE EXTRACT FROM THE MINUTES

AMENDED COMMITMENT

ORIGINAL SENTENCE DATE 1/22/97

12/22/97 Richard E. Riker  
DATE CLERK

Richard E. Riker Assistant Court Clerk  
SIGNATURE TITLE



CERTIFIED  
JAIL TIME  
CREDIT

SIGNATURE

TITLE

COURT COPY

STATE OF NEW YORK (COUNTY OF ORANGE) SS:  
I, DONALD L. BENSON, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE ON 1-2-98 AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL  
7-22-98  
DONALD L. BENSON  
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY

CASE FILE # 8-2477-96-258  
PAGE 2 OF 20 PAGES  
EXHIBIT # 3

COUNTY COURT : COUNTY OF ORANGE  
STATE OF NEW YORK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK,

-against-

WILLIAM J. SHADY, III,

INDICTMENT #97-142

Defendant.

-----X

THE GRAND JURY OF THE COUNTY OF ORANGE, by this Indictment  
accuse the defendant of the crime of CRIMINALLY NEGLIGENT HOMICIDE,  
in violation of the provisions of Section 125.10 of the Penal Law of  
the State of New York, committed as follows:

The said defendant, on or about and between the 22nd day of  
January, 1995 and the 23rd day of January, 1995, in the County of  
Orange, State of New York, did, with criminal negligence cause the  
death of another person, to wit: Cortney Guariglia.

SECOND COUNT

AND THE GRAND JURY AFORESAID, by this Indictment, further  
accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in  
violation of the provisions of Section 170.10, Subdivision 5 of the  
Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 27th day of January, 1993,  
in the County of Orange, State of New York with intent to defraud,  
deceive or injure another, did falsely make, complete or alter a  
written instrument which was or purported to be, or which is  
calculated to become or to represent if completed a prescription of a  
duly licensed physician or other person authorized to issue the same  
for any drug or any instrument or device used in the taking or  
administering of drugs for which a prescription is required by law.

CASE FILE #8-2477-96-256  
PAGE 3 OF 20 PAGES  
EXHIBIT # 3

THIRD COUNT

AND-THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 13th day of March, 1993, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

FOURTH COUNT

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 30th day of April, 1993, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

FIFTH COUNT

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 30th day of July, 1993, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

SIXTH COUNT

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 18th day of April, 1994, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

SEVENTH COUNT

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 18th day of April, 1994, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

EIGHTH COUNT

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 27th day of August, 1994, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.



NINTH COUNT

AND- THE GRAND JURY AFORESAID; by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 11th day of November, 1994, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

TENTH COUNT

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of FORGERY IN THE SECOND DEGREE, in violation of the provisions of Section 170.10, Subdivision 5 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 19th day of December, 1994, in the County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

ELEVENTH COUNT

AND -THE GRAND JURY AFORESAID, by this Indictment, further accuse the defendant of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of the provisions of Section 170.25 of the Penal Law of the State of New York, committed as follows:

The said defendant, on or about the 19th day of December, 1994, in the County of Orange, State of New York, with knowledge that it was forged and with intent to defraud, deceive or injure another, did utter or possess a forged instrument which was or purported to be, or which was calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.



RICHARD E. RUGGERI

Acting District Attorney of Orange County

Dated: Goshen, New York  
March 3, 1997

COUNTY COURT : COUNTY OF ORANGE  
STATE OF NEW YORK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK,

-against-

WILLIAM J. SHADY, III,

Defendant.

STATEMENT OF  
READINESS

INDICTMENT #97-142

-----X  
PLEASE TAKE NOTICE, that the Grand Jury of the County of  
Orange, State of New York, has, on March 3, 1997, filed an Indictment  
against WILLIAM J. SHADY, III for the crime(s) of CRIMINALLY  
NEGLIGENT HOMICIDE, FORGERY IN THE SECOND DEGREE (9 counts) and  
CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE.

The People are in all respects ready for trial.

ted: Goshen, New York  
March 3, 1997

FRANCIS D. PHILLIPS, II  
District Attorney  
County of Orange  
Office & P.O. Address  
County Government Center  
Goshen, New York 10924

COUNTY COURT : COUNTY OF ORANGE  
STATE OF NEW YORK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK,

- against -

WILLIAM J. SHADY, III,

DEMAND FOR NOTICE  
OF ALIBI  
CPL 250.20

INDICTMENT #97-142

Defendant.  
-----X

PLEASE TAKE NOTICE, that the People demand that defendant serve, within eight (8) days of the service hereof, upon the undersigned a Notice of Alibi reciting:

(a) The place or places where the defendant claims to have been at the time of commission of the crime charged; and

(b) The names, the residential addresses, the places of employment with the addresses thereof of every alibi witness upon whom he intends to rely.

PLEASE TAKE FURTHER NOTICE, that the Notice of Alibi must be served upon the undersigned if the defendant intends to offer such testimony.

PLEASE TAKE FURTHER NOTICE, that if said Notice is not served as prescribed, the defendant will be precluded from offering such testimony.

Dated: Goshen, New York  
March 3, 1997

FRANCIS D. PHILLIPS, II  
District Attorney  
County of Orange  
Office & P.O. Address  
County Government Center  
Goshen, New York 10924

CASE FILE # 8-2477-96-2  
PAGE 10 OF 20 PAGE  
EXHIBIT # 3

COUNTY COURT : COUNTY OF ORANGE  
STATE OF NEW YORK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK,

-against-

WILLIAM J. SHADY, III,

Defendant.  
-----X

NOTICE TO DEFENDANT OF  
INTENTION TO OFFER  
CONFESSIONS OR ADMISSIONS

INDICTMENT #97-142

PLEASE TAKE NOTICE that upon the trial of the above-entitled Indictment, the District Attorney of Orange County intends to offer into evidence certain voluntary oral statements made by the defendant to Investigator Wolfburg on January 24, 1995 at the New York State Barracks, Newburgh.

The substance of said statement is as follows: Please see Voluntary Disclosure Form.

Dated: Goshen, New York  
March 3, 1997

FRANCIS D. PHILLIPS, II  
District Attorney  
County of Orange  
Office & P.O. Address  
County Government Center  
Goshen, New York 10924

CASE FILE # 8-2477-96-258  
PAGE 11 OF 20 PAGES  
EXHIBIT # 3

COUNTY COURT : COUNTY OF ORANGE  
STATE OF NEW YORK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK,

- against -

WILLIAM J. SHADY, III,  
Defendant.

VOLUNTARY DISCLOSURE  
FORM

Indictment #97-142  
-----X

Pursuant to CPL Section 200.95 and CPL Article 240, a  
Bill of Particulars is hereby provided and discovery and  
inspection conducted as follows:

BILL OF PARTICULARS

The following bill of particulars is furnished by the  
People to the defendant:

1. The substance of the defendant's conduct encompassed  
by the charge set forth in the indictment which the People intend  
to prove upon the trial of this case is as follows:

PLEASE SEE PAGES ATTACHED.

2. The People intend to prove upon the trial of this  
case that the defendant acted as:

- (x) Principal
- ( ) Accomplice
- ( ) Both Principal and Accomplice

DISCOVERY

Discovery and inspection of the following enumerated  
items is to the extent consented to:

CASE FILE # 8-2477-96-258  
PAGE 12 OF 20 PAGES  
EXHIBIT # 3

BILL OF PARTICULARS

COUNT 1: The above captioned defedant on or about and between January 22, 1995 and January 23, 1995 at about and between 7:00 P.M. on January 22, 1995. and 7:30 A.M. on January 23, 1995 at the apartment of Kirstin Guariglia located at #1-D Gateway Court, Maybrook, New York in the County of Orange, State of New York, did with criminal negligence cause the death of another person, to wit: Cortny Guariglia. Said criminal negligence consisted of, but was not limited to, the defendant causing Cortney Guariglia to ingest codeine, diazepam and other substances which caused Cortney Guariglia's death.

COUNT 2: The above named defendant, on or about the 27th day of January, 1993, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: polybits and FL for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.

COUNT 3: The above named defendant, on or about the 13th day of March, 1993, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: dimetane-bormphen for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.

COUNT 4: The above named defendant, on or about the 30th day of April, 1993, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: amoxicillin for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.

COUNT 5: The above named defendant, on or about the 30th day of July, 1993, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: vasocon for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.

COUNT 6: The above named defendant, on or about the 18th day of April, 1994, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: lomotil-diphenatol for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.

COUNT 7: The above named defendant, on or about the 18th day of April, 1994, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: compazine for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.

COUNT 8: The above named defendant, on or about the 27th day of August, 1994, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: cipro for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.



COUNT 9: The above named defendant, on or about the 11th day of November, 1994, at the Price Chopper Pharmacy located at 101 Dunning Road, Town of Wallkill, County of Orange, State of New York, did with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: albuterol syrup for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof.

COUNTS 10 & 11: Said defendant, at the Price Chopper Pharmacy located at 101 Dunning in the Town of Wallkill, County of Orange, State of New York with intent to defraud, deceive or injure another, did falsely make, complete or alter a written instrument which was or purported to be, or which is calculated to become or to represent if completed a prescription of a duly licensed physician or other person authorized to issue the same for a drug, to wit: myphetane dx syrup for which a prescription is required by law. A copy of said prescription is attached hereto and made a part hereof. At the aforesaid time and place, the defendant did also utter or possess said prescription.

	NONE PRESENTLY KNOWN	INSPECTION CONSENTED TO	NOT RELEVANT	PROVIDED HEREWITH
1. Any written or recorded admission or confession made by the Defendant or a co-defendant to be tried jointly with the Defendant, other than in the course of the criminal transaction, to a public servant or his agent.	( )	( )	( )	(✓)
2. The written substance of any oral admission or confession made by the Defendant, other than in the course of the criminal transaction, to a public servant.	( )	( )	( )	(✓)
3. The written substance of any oral admission or confession made by the Defendant or a co-defendant to be tried jointly with the Defendant, other than in the course of the criminal transaction to a public servant.	( )	( )	( )	(✓)
4. Defendant's Grand Jury testimony.	( )	( )	(✓)	( )
5. The Grand Jury testimony of a co-defendant to be tried jointly with the Defendant.	( )	( )	(✓)	( )
6. The Medical Examiner's autopsy report.	( )	( )	( )	(✓)
7. Victim's hospital and medical reports.	( )	( )	( )	(✓)
8. The report of the results of narcotics analysis.	( )	(✓)	( )	( )
9. The report of the results of handwriting analysis.	( )	(✓)	( )	( )
10. The report of the results of ballistics analysis.	( )	( )	(✓)	( )
11. The report of the results of fingerprint analysis.	(✓)	( )	( )	( )

	NONE PRESENTLY KNOWN	INSPECTION CONSENTED TO	NOT RELEVANT	PROVIDED HEREWITH
12. (a) The report of the results of a blood alcohol test including breath analyzer checklist.	( )	( )	(✓)	( )
(b) Type of test	( ) BLOOD	( ) BREATH		
(c) Reading				
13. The report of the result of any scientific or laboratory test (which are not specifically enumerated in 8, 9, 10, 11, 12 supra)	(✓)	( )	( )	( )
14. Photographs used in any pictorial identification procedure.	( )	( )	(✓)	( )
15. Photographs of any corporeal identification procedure.	( )	( )	(✓)	( )
16. Any photographs or drawings relating to the criminal action made or completed by a public servant.	( )	(✓)	( )	( )
17. Any property taken from the person or possession of the Defendant, or from the person or possession of a co-defendant to be tried jointly with the Defendant.	( )	(✓)	( )	( )
18. Any tapes or electronic recordings intended to be offered at the trial or hearings by the prosecution; and any transcripts thereof, if presently available or when they become available.	(✓)	( )	( )	( )
19. Anything required to be disclosed prior to trial, to the Defendant by the prosecutor, pursuant to the Constitution of this State or of the United States.	(✓)	( )	( )	( )

NONE PRESENTLY KNOWN	INSPECTION CONSENTED TO	NOT RELEVANT	PROVIDED HEREWITH
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20. Date, time and place of arrest: (approximate if exact not known) Date: *Denovo pro. state*  
Time:  
Place:
21. Date, time and place of crime: (approximate if exact not known) Date: *see bill of particulars*  
Time: *C*  
Place: *C*
22. Any arrest warrant and supporting affidavits. ( ) ( ) (✓) ( )
23. Any search warrant or eavesdropping warrant and supporting affidavit, together with any return to the Court. ( ) ( ) (✓) ( )
24. (a) Any Court Order issued pursuant to Vehicle and Traffic Law 1194-a. ( ) ( ) (✓) ( )  
(b) Name of Court and date of Order.
25. The Defendant's fingerprint report. ( ) ( ) ( ) (✓)
26. Physical evidence to be introduced at the trial or hearings which is the subject of the Indictment. ( ) (✓) ( ) ( )
27. (a) Whether any weapon used in crime. (✓) YES ( ) NO  
(b) If yes, describe type employed. *VARIOUS medication*
28. Whether any potential prosecution witness has undergone hypnosis in connection with this case. ( ) YES (✓) NO

# DEMAND FOR RECIPROCAL DISCOVERY

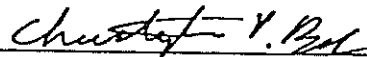
PLEASE TAKE NOTICE that, in accordance with the provisions of Section 240.30 of the Criminal Procedure Law, it is hereby demanded that, within twenty days of the date of service of this Demand, you disclose and make

available to the District Attorney of Orange County for inspection photographing, photocopying, or testing, any written report or document or portion thereof, concerning a physical or mental examination, or scientific test, experiment or comparisons, made by or at the request or direction of the defendant if the defendant intends to introduce such report or document at trial, or if the defendant has filed a notice of intent to proffer psychiatric evidence and such report or document relates thereto, or if such report or document was made by a person, other than the defendant, whom defendant intends to call as a witness at trial; and any photograph, drawing, tape or other electronic recording which the defendant intends to introduce at trial.

You are further notified, pursuant to CPL Section 240.60, that there is a continuing duty to promptly disclose the aforementioned information.

Dated: Goshen, New York  
March 3, 1997

Prepared By:



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CHRISTOPHER P. BOREK  
Assistant District Attorney

COUNTY COURT : COUNTY OF ORANGE  
STATE OF NEW YORK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK,

-against-

WILLIAM J. SHADY, III,

Defendant.  
-----X

NOTICE TO DEFENDANT OF  
INTENTION TO OFFER  
CONFESSIONS OR ADMISSIONS

INDICTMENT #97-142

PLEASE TAKE NOTICE that upon the trial of the above-entitled Indictment, the District Attorney of Orange County intends to offer into evidence certain voluntary oral statements made by the defendant to Investigator Wolfburg on January 24, 1995 at the New York State Barracks, Newburgh.

The substance of said statement is as follows: Please see attached three page report of Investigator Wolfburg.

Dated: Goshen, New York  
March 3, 1997

FRANCIS D. PHILLIPS, II  
District Attorney  
County of Orange  
Office & P.O. Address  
County Government Center  
Goshen, New York 10924

CASE FILE # 8-2477-96-25  
PAGE 20 OF 20 PAGES  
EXHIBIT # 3



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

OFFICE OF THE PROFESSIONS  
DIVISION OF PROFESSIONAL LICENSING SERVICES

June 3, 1998

**RE: WILLIAM JOSEPH SCHADY  
PHARMACY #037852**

State of New Jersey  
Division of Consumer Affairs  
Enforcement Bureau  
P.O. Box 45022  
Newark, NJ 07101

Dear Michael Westenberger, Supervising Investigator:

In response to your recent letter, we have processed your request for certified copies of certain summary disciplinary actions taken by the Board of Regents. The materials have been photoduplicated, certified as true copies and enclosed for your reference.

If we can be of any further assistance in this matter, please do not hesitate to contact us.

Sincerely,

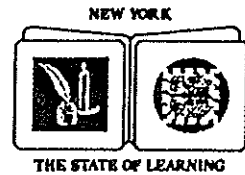
Rita Lee St. John  
Senior Clerk

RLS/saw  
enclosure

JUN 03 10:02

BU PROBE

CASE FILE # 8-2477-96-2  
PAGE 1 OF 23 PAGES  
EXHIBIT # 2



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

OFFICE OF THE PROFESSIONS  
DIVISION OF PROFESSIONAL LICENSING SERVICES

STATE OF NEW YORK )

SS:

COUNTY OF ALBANY )

In accordance with the Civil Practice Law and Rules Article 45, I, Rita Lee St. John, Senior Clerk in the Division of Professional Licensing Services of the New York State Education Department, have caused this certificate to be prepared. I certify that I have legal custody of the official original records of the Division of Professional Licensing Services and I attest that the attached are true and correct copies of the original documents in our files relating to **WILLIAM JOSEPH SCHADY**.

Witness my hand and the seal of the New York State Education Department this 1 June, 1998.

Rita Lee St. John, Senior Clerk  
Professional Licensing Services

DATED  
06/01/98





# The University of the State of New York

IN THE MATTER

OF

WILLIAM JOSEPH SCHADY  
(Pharmacist)

ORIGINAL  
VOTE AND ORDER  
NO. 17106

Upon the application of WILLIAM JOSEPH SCHADY, under Calendar No. 17106, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (April 21, 1998): That the application of WILLIAM JOSEPH SCHADY, respondent, for permission to surrender respondent's license to practice as a pharmacist in the State of New York be granted; and that the Deputy Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

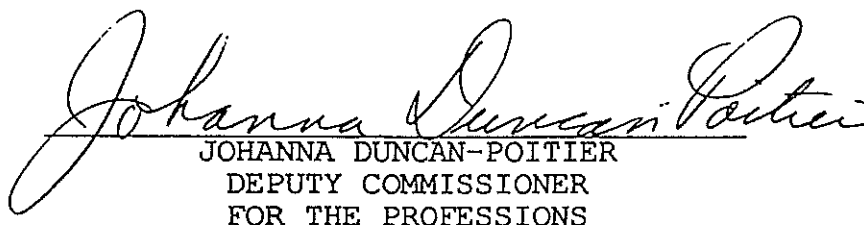
and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and SO ORDERED, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

WILLIAM JOSEPH SCHADY (17106)

IN WITNESS WHEREOF, I, Johanna  
Duncan-Poitier, Deputy Commissioner  
for the Professions, for and on behalf  
of the State Education Department and  
the Board of Regents, do hereunto set  
my hand, at the City of Albany, this  
21st day of April, 1998.

  
JOHANNA DUNCAN-POITIER  
DEPUTY COMMISSIONER  
FOR THE PROFESSIONS

VOTE AND ORDER

WILLIAM JOSEPH SCHADY

CALENDAR NO. 17106

NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD OF PHARMACY

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

WILLIAM JOSEPH SCHADY

APPLICATION  
TO SURRENDER  
LICENSE

CAL. NO. 17106

who is currently licensed to practice  
as a(n) pharmacist in the State of New York.

-----X

STATE OF NEW YORK )

SS:

COUNTY OF )

WILLIAM JOSEPH SCHADY, being duly sworn, deposes and says:

That on or about March 20, 1987 I was licensed to practice as a pharmacist in the State of New York, having been issued license No. 037852 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a pharmacist in the State of New York from an address at: 20 Meadowview Drive, Coltsneck, New Jersey 07722.

That I have been charged with two (2) specifications of professional misconduct, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A".

I am applying to the Board of Regents for permission to surrender my license to practice as a pharmacist in the State of New York on the grounds that I admit guilt to the First Specification of Professional Misconduct, charging me with being convicted of committing an act constituting a crime under New York

WILLIAM JOSEPH SCHADY

State law (conviction for criminally negligent homicide), in full satisfaction of the aforesaid two specification of professional misconduct.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event the application is denied by the Board of Regents, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that in the event the Board of Regents grants my application, an Order may be issued striking my name from the roster of pharmacist(s) in the State of New York without further notice to me.

CASE FILE # 8-2477-96-258  
PAGE 7 OF 23 PAGES  
EXHIBIT # 2

- WILLIAM JOSEPH SCHADY

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Wm. J. Schady  
Respondent

Sworn to before me this

6<sup>th</sup> day of January 1998

[Signature]  
NOTARY PUBLIC

JOHN INGRASSIA  
Notary Public - State of New York  
No. 121N5044119  
Qualified in Orange County  
Commission Expires 5-22-99

CASE FILE # 8-2477-96-2  
PAGE 8 OF 23 PAGES  
EXHIBIT # 2

EXHIBIT "A"

WILLIAM JOSEPH SCHADY

FIRST SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with having been convicted of committing an act constituting a crime under New York State Law within the purview and meaning of Section 6509(5)(a)(i), in that:

Pursuant to Indictment #97-142 filed in the State of New York County Court, County of Orange, Respondent was charged inter alia, with Criminally Negligent Homicide, in violation of Section 125.10 of the Penal Law of the State of New York.

On October 22, 1997 Respondent entered a plea of guilty to the aforesaid charge wherein Respondent admitted that between January 22nd and January 23rd, 1995, Respondent left valium and codeine in a open bag within the reach of his friend's three year old daughter. The child died from ingesting the drugs.

SECOND SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with practicing the profession of pharmacy fraudulently within the purview and meaning of Section 6509(2) of the Education Law of the State of New York, in that:

Between October 1992 and December 1994 while Respondent was employed and on duty as the supervising pharmacist at Price Chopper Pharmacy, Middletown, New York, Respondent:

- a) recorded the receipt of approximately fifteen (15) oral prescriptions for controlled and non-controlled medications, each prescription bearing Respondent's name or the name of Respondent's family member;

- WILLIAM JOSEPH SCHADY

- b) Respondent dispensed said prescriptions without the knowledge or consent of a physician; and
- c) billed the patients' insurance for said prescriptions.

CASE FILE # 8-2477-962  
PAGE 10 OF 23 PAGE  
EXHIBIT # 2



NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD OF PHARMACY

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

WILLIAM JOSEPH SCHADY

APPLICATION  
TO SURRENDER  
LICENSE

CAL. NO. 17106

who is currently licensed to practice  
as a(n) pharmacist in the State of New York.

-----X

The undersigned agree to the Application to Surrender.

Dated: 1/6/1998

William J. Schady  
Respondent

Dated: January 6, 1998

John A. Schady  
Attorney for Respondent

Dated: March 4, 1998

Lawrence H. Mohr  
Executive Secretary  
State Board of Pharmacy

Dated: 3/18, 1998

Paul H. Hironaka  
Acting Executive Director  
Office of Professional Discipline

JW-D:eb-c

CASE FILE # 8-2477-96  
PAGE 11 OF 23 PAC  
EXHIBIT # 2